



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

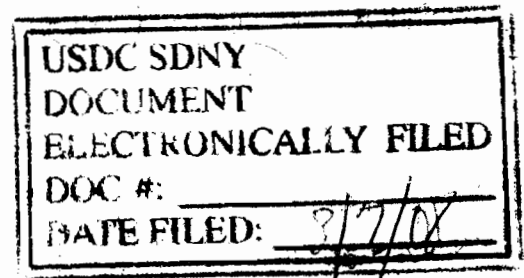
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MEMO ENDORSED

August 4, 2008

Hon. Lewis A. Kaplan
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, N.Y. 10007



Re: Adames v. Bloomberg, et al.
08 CV 3804(LAK)(THK)

Dear Judge Kaplan:

I am the Assistant Corporation Counsel representing the City defendants in the above-captioned matter.

This office was served with a document addressed to Your Honor from the *pro se* plaintiff in this action entitled "Second Request for Emergency Prosecution," dated July 28, 2008. I write to respectfully ask that the Court disregard this filing, as the City defendants' motion to dismiss the complaint has been fully briefed.

Pursuant to the Court's referral of this matter to Magistrate Judge Theodore H. Katz, and the briefing schedule issued by Magistrate Judge Katz, City defendants filed their motion to dismiss the complaint on June 18, 2008, plaintiff filed an "Affirmation in Opposition to Motion to Dismiss" on July 15, 2009, and City defendants replied on July 25, 2008.

Mr. Adames has served no fewer than ten other documents since the City defendants filed their motion to dismiss. These include letters to the Court as well as documents characterized as motions for default, answers to the Magistrate's orders, answers to the motion to dismiss, and objections to the Magistrate's orders. The most recent "Second Request for Emergency Prosecution" again reiterates the allegations made in the Complaint, as well as charges of procedural irregularities in the filings related to this motion. These issues have

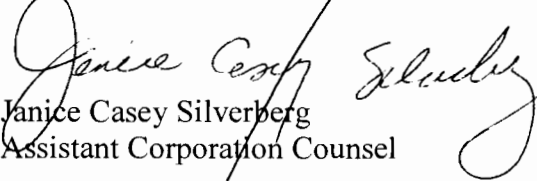
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already been addressed by Magistrate Judge Katz, who has denied plaintiff's previous motions for a default judgment.

Accordingly, City defendants respectfully ask that plaintiff's "Second Request for Prosecution in Emergency" be disregarded and stricken from the record, and that their motion to dismiss be considered fully briefed as of their Reply, dated July 25, 2008.

Respectfully yours,


Janice Casey Silverberg
Assistant Corporation Counsel

cc: Hon. Theodore H. Katz
United States Magistrate Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1660
New York, New York 10007

Mr. Jose Adames
641 West 207th St. 1A
New York, N.Y. 10034

MEMO ENDORSED

Defendant need not respond to Plaintiff's Second Request for Prosecution in Emergency. To the extent that Plaintiff seeks relief in his Request, such relief is denied.

The merits of Plaintiff's claims will be addressed if this action survives Defendant's Motion to Dismiss and after pretrial discovery.

Plaintiff is hereby directed to cease filing any further submissions until the Motion to Dismiss is resolved.

SO ORDERED

8/6/08


THEODORE H. KATZ

UNITED STATES MAGISTRATE JUDGE